

Patent  
Express Mail Label: EL773577782US  
Express Mail Date: 09 October 2001  
Customer No.: 022870  
Docket No.: 20605.006US

**UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT OPERATIONS**

Applicant: FOCKE, Heinz, et al.

Application No.:

Filing Date:

Title: Method and Apparatus for the testing  
Of in particular Cigarette Packs

Art Unit:

Examiner:

**PRELIMINARY AMENDMENT**

Commissioner for Patents  
Box Application - Fee  
Washington DC 20231

09 October 2001

Atlanta GA 31156-7685

Sir:

Prior to examining the above-identified and enclosed patent application,  
please amend it as follows.

**IN THE TITLE**

Amend the Title to be:

**METHOD AND APPARATUS FOR THE TESTING OF CUBOID-SHAPED PACKS**

**IN THE SPECIFICATION**

Amend the Specification as follows:

Page 1, prior to line 1, delete "Description" and replace with:

**--BACKGROUND OF THE INVENTION**

Page 1, between lines 3 and 4, insert:

**--BRIEF SUMMARY OF THE INVENTION--**

Page 3, between lines 6 and 7, insert:

**--BRIEF DESCRIPTION OF THE DRAWINGS--**

Page 3, lines 8-10, delete "Fig. 2 to Fig. 4 graphs representing the deformation of a pack", and replace with:

--Fig. 2 is a graph representing the deformation of a pack and showing the curve on the basis of direct interaction between force F and distance S.

Fig. 3 is a graph representing the deformation of a pack and showing a curve which has been calculated as the first derivative of the curve shown in Fig. 2.

Fig. 4 is a graph representing the deformation of a pack and showing a curve which has been calculated as the second derivative of the curve shown in Fig. 2.--

Page 3, between lines 13 and 13, insert:

**--DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS--**

**IN THE CLAIMS**

Amend the Claims as follows:

Claim 1, line 1, delete "(cigarette)" and "(thin)".

Claim 3, line 1, delete "or 2".

Claim 3, lines 3-4, delete "and preferably displayed or plotted in graphic form".

Claim 5, line 3, delete ", in particular as a second derivative".

Claim 6, lines 2-3, delete ", in particular across the entire pack surface, preferably on the entire large-surface front side (13) or rear side (14) of a cuboid-shaped pack".

Claim 7, line 2, delete ", in particular constant,".

Claim 7, lines 3-4, delete “, in particular by a load cell (28)”.

Claim 9, line 1, delete “7 and”.

Claim 9, line 3, delete “, preferably in the form of its second derivative”.

Claim 10, line 2, delete “(cigarette)” and “(thin)”.

Claim 10, line 4, delete “an (upper)” and replace with --a--.

Claim 10, line 6, delete “preferably the pressure plate (26),”.

Claim 10, line 4, delete “(lower)”.

Claim 12, line 1, delete “10 or”.

Claim 14, lines 2-3, delete “in particular to the displaceable pressure strut (24),”.

Claim 14, line 3, delete “, in particular a position sensor (31)”.

Claim 15, line 3, delete “, preferably for testing samples of packs (10)”

Add new Claims 18-29 as follows:

18. (new) Method according to Claim 1, characterized in that the cuboid-shaped pack is a cigarette pack having at least one wrapper of thin cardboard.

19. (new) Method according to Claim 3, characterized in that the resistance is displayed or plotted in graphic form.

20. (new) Method according to Claim 5, characterized in that the derivative is a second derivative.

21. (new) Method according to Claim 6, characterized in that the force is transferred across the entire pack surface.

22. (new) Method according to Claim 6, characterized in that the force is transferred on the entire large-surface front side (13) of the cuboid-shaped pack.

23. (new) Method according to Claim 6, characterized in that the force is transferred on the entire large-surface rear side (14) of the cuboid-shaped pack.

24. (new) Method according to Claim 7, characterized in that the pressure gauge is a load cell (28).

25. (new) Method according to Claim 9, characterized in that the curve is the second derivative.

26. (new) Apparatus according to Claim 10, characterized in that the cuboid-shaped pack is a cigarette pack having at least one wrapper of thin cardboard.

27. (new) Apparatus according to Claim 10, characterized in that the at least one pressure exerting means is the pressure plate (26).

28. (new) Apparatus according to Claim 10, characterized in that the bearing plate (27) is connected to the load cell (28).

29. (new) Apparatus according to Claim 14, characterized in that the distance-measuring device is a position sensor (31) attached to the displaceable pressure strut (24).

## REMARKS


The patent application has been amended to conform to United States Patent and Trademark Office (USPTO) rules and preferred form. No new matter has been added.

## CONCLUSION

Applicant submits that the patent application now is in condition for examination and allowance and respectfully requests such action.

If the examiner has any questions that can be addressed over the telephone, please contact the below-signed attorney.

Respectfully submitted,  
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## CLAIMS

**Clean version of each replacement claim.**

Applicant: Focke et al  
Application No.:  
Filing Date:  
Title: Method and Apparatus  
For the testing of in  
Particular Cigarette Packs

Customer No.: 022870  
Docket No.: 20605.006US  
Art Unit:  
Examiner:

1. Method for the testing of packs (10) of formable packaging material, in particular of cuboid-shaped packs (10) having at least one wrapper of cardboard, characterized in that the pack (10) is impinged with a defined pressure and the resulting deformations of the pack (10) are measured.

3. Method according to Claim 1, characterized in that the resistance of the pack (10) as counterforce, which varies as the result of the increasing deformation of the pack (10) under uniform movement of a pressure-exerting means, is measured.

5. Method according to Claim 3, characterized in that the course of force acting on the pack (10) during uniform movement of the pressure-exerting means is represented as a derivative.

6. Method according to Claim 1, characterized in that force is transferred to the pack surface (10).

7. Method according to Claim 1, characterized in that the pressure-exerting means is applied to the pack (10) with a uniform movement and that the force acting in the region of the pack (10) is measured by a pressure gauge.

9. Method according to Claim 8, characterized in that the measuring results of the load cell (28) and those of the position sensor (31) are evaluated by a computer and plotted as a curve, preferably in the form of its second derivative.

10. Apparatus for the testing of packs (10) of formable packaging material, in particular of cuboid-shaped packs (10) having at least one wrapper of cardboard,

characterized in that the pack (10) is positioned between opposing pressure-exerting means, in particular between a pressure plate (26) and a bearing plate (27), it being possible to move at least one pressure-exerting means, preferably the pressure plate (26), against the pack (10).

12. Apparatus according to Claim 11, characterized in that the bearing plate (27) is connected to the load cell (28).

14. Apparatus according to Claim 10, characterized in that attached to the displaceable pressure-exerting means is a distance-measuring device.

15. Apparatus according to Claim 10, characterized in that a test station (39) with an apparatus for the compressed deformation of a pack (10) is assigned to a packaging unit (42).

18. Method according to Claim 1, characterized in that the cuboid-shaped pack is a cigarette pack having at least one wrapper of thin cardboard.

19. Method according to Claim 3, characterized in that the resistance is displayed or plotted in graphic form.

20. Method according to Claim 5, characterized in that the derivative is a second derivative.

21. Method according to Claim 6, characterized in that the force is transferred across the entire pack surface.

22. Method according to Claim 6, characterized in that the force is transferred on the entire large-surface front side (13) of the cuboid-shaped pack.

23. Method according to Claim 6, characterized in that the force is transferred on the entire large-surface rear side (14) of the cuboid-shaped pack.

24. Method according to Claim 7, characterized in that the pressure gauge is a load cell (28).

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26. Apparatus according to Claim 10, characterized in that the cuboid-shaped pack is a cigarette pack having at least one wrapper of thin cardboard.

27. Apparatus according to Claim 10, characterized in that the at least one pressure exerting means is the pressure plate (26).

28. Apparatus according to Claim 10, characterized in that the bearing plate (27) is connected to the load cell (28).

29. Apparatus according to Claim 14, characterized in that the distance-measuring device is a position sensor (31) attached to the displaceable pressure strut (24).